

# Capital Journal

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GEORGE PUTNAM, Editor and Publisher

## A Timely Decision

Decision of the Oregon supreme court yesterday in the McDaniel case, holding that a search warrant is necessary to search a person, is merely a reaffirmation of individual rights conferred by the constitutional "Bill of Rights." It is timely, nevertheless, to check the growing lawlessness of irresponsible officialdom, which has construed the Volstead act as an abrogation of all other laws, which assumption has led to all manner of infringement of personal rights.

We have had numerous raids upon suspicion, both with illegal warrants and without warrants at all, both upon person and upon property and the statute abuses have multiplied, principally because the victims have not sought the aid of the courts to maintain their rights. Few of these outrages have been perpetrated by the constitutional peace officers, who are under bond and understand the law, but principally by the special prohibition officers, whose fanatical zeal knows but one law, and their course has gone far to discredit prohibition enforcement.

A year ago, the state prohibition commissioner, upon an illegal warrant, invaded a private home in Portland, and was upheld by the governor, who ordered everyone to set his house in order and welcome the visitation of his official snoopers. The courts, however, declared the raid illegal, and reestablished the ancient doctrine that a man's home was his castle and could not be violated at will.

Last month the same commissioner raided a British ship, in violation of the treaty enacted between Great Britain and the United States, and seized liquor under seal, was arrested by the federal government and forced to return the liquor and sign an abject apology, confessing his error.

Now comes the McDaniel case, where the defendant was seized on suspicion and illegally searched without warrant and the supreme court declares:

An officer has the authority to search the person of a man when he holds a search warrant issued to him by a magistrate... It is admitted here that the officers had no search warrant. If the search was legal, it must come within the authority of the officers to search the prisoner in their legal custody to answer for some crime. If it did not come within that rule, then it comes within the prohibition of the constitution against illegal searches.

The foundation of Anglo-Saxon liberty is the Bill of Rights, which represents the long struggle against oppression by crown and official tyranny beginning under King John with the barons at Runnymede and becoming established in the revolution of 1688 with the final expulsion of the Stuarts.

Personal liberty was assured in America in the first amendments to the Constitution, without assurance of which the instrument could not have been ratified. It was embodied as the fundamental of the constitutions of Oregon and other states. Its maintenance is therefore far more important to the nation than any statute that may be adopted as a result of popular hysteria or political pressure.

The search, seizure and warrant articles of the Constitution are not the only ones infringed in the enforcement of the dry law. We have the right of trial by jury denied in certain instances; we have double and triple jeopardy for the same offense; and we have deprivation of liberty and property without due process of law; we have excessive bail, excessive imprisonments and excessive fines; we padlock and destroy in violation of the bill of attainder clause, and we deny recompense for illegally seized property—and for many of these constitutional violations, we have sanction of cowardly courts.

It is the established aim of the Anti-Saloon League, to abolish the Bill of Rights insofar as it conflicts with prohibition enforcement, and in this effort they have by coercion, secured the support of what Dr. Nicholas Murray Butler styles our "paste-board heroes" and our "papier-mache" statesmen. Persistence in the policy will eventually exasperate the people into modification or repeal of the Volstead act as they are already ignoring it.

Prohibition is an experiment but the Bill of Rights is the fundamental of freedom and must be preserved or our liberty perishes.

## LIBERTY NEWS

Liberty, Or., Jan. 3.—A party was given at the home of Mrs. O. L. Dancer, Tuesday evening, December 30, in honor of the 18th birthday of Miss Wilda Lathrop. Games and music were the features of the evening. A delightful luncheon was served at 11 o'clock by Mrs. Lathrop, assisted by Mrs. Dancer and Mrs. Gille. Fifteen high school guests and Miss Lucille Gille of Portland were present.

The Liberty New Year's community dinner was certainly an enjoyable affair. All present partook of a sumptuous feast, and socially had a good time.

Mr. and Mrs. P. S. Dancer visited Mr. and Mrs. C. H. Dancer at Marion last week.

J. R. Rains, who has been visiting his relatives at Oregon City, has returned home.

Mrs. Frost and three children of Portland were visiting at the W. H. Matheson home during the week. They were former Idaho and Wyoming neighbors of the Matheson family.

Mrs. Cove is now boarding with Mr. and Mrs. Fred Scott, having given up her housekeeping rooms in Salem.

Mr. and Mrs. Walter Stark are the happy parents of a little son, born Sunday, December 28. They have named him Richard.

Mrs. Harriett Connett, who has been visiting her daughter, Mrs. E. L. Coffey, has gone to Sweet Home, where she will visit her daughter, Mrs. Neg.

Harley Cummings of Eugene was a recent guest of J. R. Rains and E. L. Coffey.

Dorothy Coffey is back in school after a week's absence on account of sickness.

foring with a stiff neck that refused to respond to the physician's care.

Mr. and Mrs. Harold Zuel have returned from Portland, where they have been for several days.

Mrs. Earl Cone attended one day at the Oregon State Teachers association meeting in Portland. She was a delegate from Marion county.

John Terhune of Jefferson was a business visitor in this community recently.

O. E. Brooks has torn down his old barn and is going to build a new one.

P. G. Judd went to Portland, Tuesday, on business.

Mr. and Mrs. Martin of Salem were dinner guests of Mr. and Mrs. Carl Gibson, New Year's eve.

Dr. C. E. Crothers and son, Eugene, recently returned from a trip to Portland. Mr. and Mrs. McNulty of Sandy and Mrs. Wright and daughter of Oregon City were guests of Mr. and Mrs. J. R. Rains last Monday. Mr. McNulty is instructor of mathematics in the Sandy Union high school.

Principal D. A. Hoar is classifying and arranging the school library books of the state library. When finished, the school will have a standard library.

The following persons have visited school during the week: Ida Matheson, Florian Hrubetz, Margaret Frost, Barbara Schotthozer, Constance Stark, Frances Wolfe, Etta Westenhousen and Earnest Smith.

No man who loves applause more than the truth will add much to the world's progress.

A miser grows rich by seeming poor—an extravagant man grows poor by seeming rich.

## TODAY'S CROSS WORD PUZZLE

### VERTICAL

1. Beetle
8. Continent
9. Eased
12. Child (slang)
13. Lubricate
14. An emperor
15. Girl's nickname
16. Old age (poetical)
17. Groove
18. Servant
19. Shelter
20. Low tone (fam.)
21. Depend



SOLUTION OF YESTERDAY'S PUZZLE

### HORIZONTAL

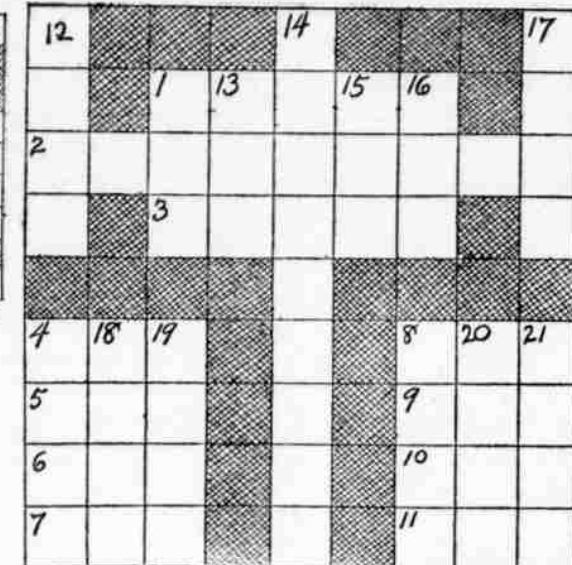
1. Great scout
2. Famous Philippine
3. Organ
4. Skilled
5. Observe
6. Particle of matter
7. Inset
8. Chum
9. Beverage
10. Station (abbr.)
11. 2000 pounds

### HOW TO SOLVE THE CROSS WORD PUZZLE

The way to solve the Cross Word Puzzle is to fill in the white squares of the diagram with the words which agree with the accompanying definitions. The definitions are numbered to correspond with the numbers on the diagram.

Any word defined in the text under "HORIZONTAL" will begin at its number, shown on the diagram, and will extend all the way across to the first black space to the right of that number. That is, the word must begin in the square that contains its identifying number, and extend as far as the white squares continue uninterrupted.

Any word defined under "VERTICAL" will also begin, in the white space that contains its number, but will extend downward as far as the white squares remain uninterrupted.



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## The flower of the family

A Thrilling Love Story by IDAH MCGLONE GIBSON

### AN UNENDING LOVE

When Mrs. Ralston arrived home from the hospital she went directly to her room. Silently she allowed her maid to take her wraps and outdoor gown from her and bring her a negligee.

"I don't think I shall need you tonight, Susan," she said.

"Has Mr. Ralston had his dinner yet?"

"He is dining now in his room."

"Then I shall not disturb him. Ask Mason to bring mine here. Afterward I shall go to Mr. Ralston's room and we shall wait there for Miss Marta who has gone out to dinner, and who, I expect, will not be home very early."

Mason brought the tray almost immediately, but Mrs. Ralston ate very little.

After the butler and the maid had both left the room she sat motionless for a long time.

Finally she got up slowly and going to her writing desk drew a sheet of paper toward her. With her pen poised, she still hesitated while her eyes grew pitying and then with sudden resolution she wrote:

"I have been trying to decide, Kent, dear, for at least a half-hour whether it would be better to telephone or write you and because I am a coward, because I could not bear to hear your voice with something gone out of it, I am writing this letter."

"I am sure that you understood this afternoon when I asked you to telephone my attorney and tell him that I had put off that conference with him indefinitely, that I had determined to make an effort at reconciliation with Harold."

"Later, when I visited the hospital and saw Marie and Rafo together I wondered that I had allowed things to come between

Harold and me that should need reconciliation. Although those two were both suffering, I found in their eyes the glory and radiance of that great love that I remembered as Harold's and mine twenty five years ago.

"With the sight of their happiness and the knowledge of their hopes for the future a light broke in upon me. Who was I, that after twenty-five years I should tread down the home that Harold and I had raised, a home that had been built on the passion and fire of young love, whose rooms had been pleased with great joy and sacrificed with bitter tears."

"I could not now rise to the ground that beautiful edifice and let my daughter think it was all only an illusion. I could not let her for one moment believe that her love and Rafo's must too come to an inevitable end."

"Something surged into my soul, Kent—I knew our love—Harold's and mine—had not ended. It had only changed its mold and we poor mortals had turned away from it even though it was more in keeping with our lengthening years."

"First, Harold went straying into primrose paths, searching, searching for the same glowing ardent youth that he had forever left behind. And I, left in the shadow, turned to you for sympathy and you gave it to me, Kent. You brought back to me my self-respect. Your kindness told me that if my husband neglected me there were others that thought me fair. You even braved Harold's anger and disdain to tell him that you loved me."

"Kent, I shall be ever grateful to you for I think that in the first flush of my disappointment and grief at Harold's neglect I would have died had you not come to

comfort me. "As I look back upon this interlude I know that you never thought nor dreamed that there would be any other end than that I should return to Harold."

"For your loyalty, your kindness, your respect, your admiration, my friend, I shall be in your debt forever, and I am writing this letter to ask you that when you think of me in the future, you will not remember my selfishness in taking all that you gave so generously and will remember that down deep in my heart, although sometimes I have tried to forget it because I wanted to forget it, there always rested the feeling that I was Harold Ralston's, for better or for worse."

"Friend of mine, I shall never be able to show you in just what grateful esteem I hold you. I can only ask that in the future you will not let me color your life with anything but the happiness which one must have who knows that he has made life worth while to some other person, for this is what you have done for me."

"I am going now to Harold, my husband, to see if we can straighten out the tangled skein of our lives. I do not know yet if he has grown out of his love for me. I do not know yet if he wants to be forgiven and to forgive. I know only that these are the things I shall ask of him and that these are the things that you have made possible for—Joan Ralston."

Monday—The Devils Cast Out

Detroit—An industrial revival will start early in 1925, gain momentum during the year and reach a peak in 1926 or 1927, an industrial survey of the Society of Industrial Engineers said.

\$350 HAMILTON PIANO \$145

This Piano is worth the money; easy terms. See this one sure.

GEO. C. WILL, 432 State St.

By George McManus

### BRINGING UP FATHER



### BARNEY GOOGLE AND SPARK PLUG

Barney Was Lucky Not to Find Himself Broke and in Debt.

By Billy de Beck



### KRAZY KAT

A Full House

By Herriman



### MUTT AND JEFF

Jeff Thinks He Has Grounds For An Argument

By Bud Fisher

